

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	Cause No. 1:22-cr-00142-JRS-KMB
	)	
KENNETH M. ADDISON,	)	
	)	
Defendants.	)	

**MOTION FOR PRELIMINARY ORDER OF FORFEITURE**

The United States of America, by counsel, Zachary A. Myers, United States Attorney for the Southern District of Indiana, and Bradley P. Shepard, Assistant United States Attorney, respectfully moves for a Preliminary Order of Forfeiture in the above cause of action, and in support thereof presents to the Court the following facts:

1. On September 30, 2022, an Information was filed against Defendant Kenneth Addison, charging him with Felon In Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(Count One); and Possession with Intent to Distribute Marijuana, in violation of 18 U.S.C. § 841(a)(Count Two). [Filing No. 1].
2. Addison also was charged in an Indictment filed August 18, 2021, with Accessory After the Fact, in violation of 18 U.S.C. § 3(Count One), and Obstruction of Justice, in violation of 18 U.S.C. § 1505(Count Two). [Filing No. 1 in Cause Number 1:21-cr-00242-JRS-KMB].
4. On September 30, 2022, Addison filed a Petition to Enter a Plea of Guilty and Plea Agreement was filed. [Filing No. 7]. As part of the plea agreement, the Defendant agreed that the following property was subject to forfeiture and consented to its forfeiture: *Id.*

- Real property, located at 15 North Creedmore Way, Anderson, Indiana 46011. Parcel Numbers: 48-11-09-200-095.000-003; 48-11-09-200-094.000-003 and 48-11-09-200-096.000-003; (Asset Identification Number: 20-FBI-007692)
  - 2017 Lowe Pontoon Boat SF Series SF212 and 2017 Karavan Pontoon trailer. (Asset Identification Number: 20-FBI-007694)
  - \$44,569.00 United States Currency;
  - M&P, Bodyguard, 3S0-caliber, obliterated serial number;
  - New England Firearms, Pardner Pump, 12- gauge, SN: HW507226;
  - New Taurus, PT 1911, .45 caliber, SN: NGW84836;
  - LWRC Rifle, unknown model, 5.56 caliber, SN: 4-22336; and
  - Ammunition.
- “Subject Property”

4. On April 6, 2023, the Defendant pleaded guilty to Count One of the Indictment in 1:21-cr-00242-JRS-KMB and Counts One and Two of the Information in this case and was adjudged guilty. [Filing No. 28]. As part of the sentencing, the Court ordered the forfeiture of the above-listed Subject Property. [Filing No. 30].<sup>1</sup>

6. Federal Rule of Criminal Procedure 32.2(b) provides that as soon as practicable after accepting a plea of guilty, or a finding of guilt by a jury, the Court shall determine what property is subject to forfeiture and promptly enter a preliminary order of forfeiture directing the forfeiture of specific property without regard to any third party’s interest in all or part of it.

7. Upon issuance of a Preliminary Order of Forfeiture, the United States, pursuant to 21 U.S.C. § 853(n), will post notice of the Court’s Order and the United States’ intent to dispose of the Subject Property described above, and will provide notice directly to any third parties known to have alleged an interest in this Subject Property.

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<sup>1</sup> A motion for preliminary order of forfeiture was filed in 1:21-cr-00242-JRS-KMB on April 20, 2023 [Filing No. 82] and was granted [Filing No. 83].

WHEREFORE, the United States respectfully requests that this Court enter this Preliminary Order of Forfeiture forfeiting the Defendant's interests in the Subject Property, as described above, to the United States, and ordering the United States to seize the Subject Property and dispose of it in accordance with the law.

Respectfully submitted,

ZACHARY A. MYERS  
United States Attorney

By: s/ Bradley P. Shepard  
Bradley P. Shepard  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 25, 2023, a copy of the foregoing Motion for Preliminary Order of Forfeiture was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the court's electronic filing system. Parties may access this filing through the court's system.

s/ Bradley P. Shepard  
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